

### REMARKS

Claims 1-40 and 45-64 are pending in this application with claims 1, 14, 29, 30, 31, 36 and 45 being independent. Claims 1, 14, 29, 30, 31, and 36 have been amended, and claims 53-64 have been added.

Independent claims 1, 14, 29, 30, 31, 36, and 45 have been rejected along with their dependent claims 2-13, 15-28, 32-35, 37-40, and 46-62 as being anticipated by Hutton (U.S. Patent No. 6,513,066). Claims 1, 14, 29, 30, 31, and 36 have been amended to obviate this rejection.

Claims 1, 29, and 31 recite a method, apparatus, and computer program for transferring a file from a first client to a second client. Language from claim 1 is quoted below as exemplary. Incident to the claimed transfer, are limitations of “sending, through the communications system host, a request to the second client to establish a direct connection to the second client; [and] if *a user* of the second client *accepts* the request, establishing a direct connection to the second client that bypasses the communications system host ...” (emphasis added.) Applicant requests reconsideration and withdrawal of the rejection of claims 1, 29, and 31 because Hutton does not describe or suggest the recited operation of sending, through the communications system host, a request to establish a direct connection with the second client and establishing that direct connection if *a user* of the second client *accepts* the request.

Hutton discloses a communications system 10 that includes a connection server 26, a first processing unit 12, and a second processing unit 22. Hutton, however, does not describe or suggest “if *a user* of the second client *accepts* the request, establishing a direct connection to the second client that bypasses the communications system host” (emphasis added). Hutton discloses two point-to-point protocols used to establish point-to-point Internet connections (i.e., direct connections) between client systems for voice communications. Neither point-to-point protocol gives a user the opportunity to “accept” a request to establish the direct connection.

In the first point-to-point protocol, the first processing unit 12 sends a connection request to the connection server 26, which accesses a database 34 to determine whether the user of the second processing unit 22 is online. If the user is online, the connection server 26 enables the

first processing unit 12 to establish a point-to-point Internet connection (i.e., a direct connection) with the second processing unit 12 by sending the Internet Protocol (IP) address of the second processing unit 22 to the first processing unit 12 (col. 6, lines 28-41). The first processing unit 12 then uses the IP address to establish a direct connection with the second processing unit 22. Accordingly, the user of the second processing unit 22 is never given the opportunity to “accept” the establishment of the direct connection with the first processing unit 12, as claimed.

In the second point-to-point protocol, the connection server 26 is not used and, instead, the first processing unit 12 sends a <ConnectRequest> message as an e-mail to a mail server 28 (col. 7, lines 2-5.) The <ConnectRequest> message includes the IP address of the first processing unit 12 (col. 7, lines 6-13). The mail server 28 polls the second processing unit 22 and delivers the <ConnectRequest> message to the second processing unit 22 (col. 7, lines 34-40). The second processing unit 22 receives the <ConnectRequest> message, extracts the IP address from the message, and uses the IP address to establish a direct connection with the first processing unit 12 by sending a <ConnectOK> response signal directly over the internet to the IP address of the first processing unit 12, bypassing the mail server 28. (col. 7, line 65 – col. 8, line 14). Notably, the user of the second processing unit 22 is never given the opportunity to “accept” the establishment of the direct connection with the first processing unit 12, as claimed. Rather, upon the user of the first processing unit 12 initiating a point-to-point communication command, a direct connection is setup between the first processing unit 12 and the second processing unit 22 automatically and transparently to the users (col. 8, lines 34-41).

For at least these reasons, applicant requests reconsideration and withdrawal of the rejection of claims 1, 29, 31, and their dependent claims.

Claims 14, 30, and 36 recite a method, apparatus, and computer program that include the limitation “receiving, through the communications system host, a request from the first client to establish a direct connection; enabling *a user to accept* the request from the first client; establishing a direct connection to the first client that bypasses the communications system host; ...” For at least the reasons discussed above, applicant requests reconsideration and withdrawal of the rejection of claims 14, 30, 36 and their dependent claims.

Claim 45, as amended, recites a user interface that includes “a second graphical user interface element structured and arranged to enable an operator of the second client to *authorize the establishment of the direct connection* and a file transfer over the direct connection” (emphasis added). Hutton does not describe or suggest a user interface element that enables an operator of a second client to authorize establishment of a direct connection between the second client and a first client.

In Hutton, the operator of the second processing unit 22 is not able to authorize establishment of the point-to-point connection between the first processing unit 12 and the second processing unit 22. As described previously, the point-to-point connection is established by the second processing unit 12 automatically and without intervention by the user of the second processing unit 12 when the second processing unit 12 extracts the IP address from the <ConnectRequest> message and uses it to send a <ConnectOK> signal directly to the first processing unit 12. Accordingly, Hutton does not contemplate the recited second user interface element. For at least these reasons, applicant requests reconsideration and withdrawal of the rejection of claim 45 and its dependent claims.

Applicants submit that all claims are in condition for allowance.

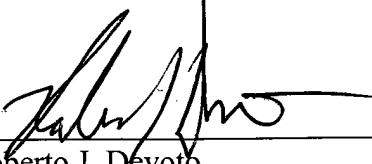
Enclosed is a \$600 check for excess claim fees. Please apply any other charges or credits to deposit account 06-1050.

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Page : 14 of 14

Attorney's Docket No.: 06975-  
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Respectfully submitted,

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